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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/123,486	07/28/1998	YEHUDA BINDER	1332/1	5596

7590 12/04/2001

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EXAMINER

TRAN, MAIKHANH

ART UNIT	PAPER NUMBER
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2664

14

DATE MAILED: 12/04/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/123,486

Applicant(s)

BINDER, YEHUDA

Examiner

MAIKHANH T. TRAN

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-9, 12-34, 40, 47, 49-51, 53-57 and 60-97 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 54, 55, 67, 68 and 72-79 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-9, 12-34, 40, 47, 49-51, 53, 56-57, 60-66, 69-71 and 80-97 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant respond filed on 09/12/01 has been fully considered and made of record. By this amendment, claims 1, 40, 47, 53, 60, 61, 64, 66 and 69 have been amended; claims 72-97 have been added. Claims 1-3, 5-9, 12-34, 40, 47, 49-51, 53-57, 60-97 are now pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 40, 47 (lines 7, 10, 13 and 15), claims 53, 60-61, 64, 66 and 69 (lines 6, 9, 12 and 14) recite the limitation "said at least one communicating pair". There is insufficient antecedent basis for this limitation in these claims.

4. Claims **47**, **69**, lines 16 and 17; claims **53**, lines 15 and 21; claims **60** and **61**, lines 16 and 18, and claim **64**, line 16, claim **66**, lines 16 and 23 recite the limitation "said plurality of serial intelligent cells". There is insufficient antecedent basis for this limitation in these claims.

Allowable Subject Matter

Art Unit: 2664

5. Claims 54-55, 67-68, and 72-79 are allowed.

6. The following is an examiner's statement of reasons for allowance:

- The prior art of the record fail to teach that at least one of said cells is connected to a high data rate connection whose bandwidth is multiplexed to at least one other of said cells as recited in claims 54 and 67.

- The prior art of the record fail to teach that at least one of said cells is connected to a high data rate connection whose bandwidth is multiplexed to at least one other of said cells as recited in the structure of claim 72.

- The prior art of the record fail to teach that at least one of said cells comprises a telephone/data splitter/combiner as recited in the structure of claims 74 and 78.

- The prior art of the record fail to teach that at least one of said cells comprises an AC power/data splitter/combiner as recited in the structure of claim 79.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2664

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MAIKHANH T. TRAN whose telephone number is 703-308-7911. The examiner can normally be reached on MON-FRI 8:30AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WELLINGTON CHIN can be reached on 703-305-4366. The fax phone numbers for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Application/Control Number: 09/123,486

Page 5

Art Unit: 2664

Maikhanh Tran

November 30, 2001

A handwritten signature in black ink, appearing to read 'W. Chin', with a long horizontal stroke extending to the right.

WELLINGTON CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600